

STATE OF CALIFORNIA  
ENVIRONMENTAL PROTECTION AGENCY  
DEPARTMENT OF TOXIC SUBSTANCES CONTROL

In the Matter of:

Clean Harbors Los Angeles, LLC  
5756 Alba Street  
Los Angeles, California 90058

ID No. CAD050806850

Respondent.

Docket HWCA 2010-3008

CONSENT ORDER

Health and Safety Code  
Section 25187

1. INTRODUCTION

1.1. Parties. The California Department of Toxic Substances Control (Department) and Clean Harbors Los Angeles, LLC (Respondent) enter into this Consent Order (Order) and agree as follows:

1.2. Site. Respondent generates, handles, treats, stores, and/or disposes of hazardous waste at the following site: 5756 Alba Street, Los Angeles, California 90058 (Site).

1.3. Inspection. The Department inspected the Site on October 25, 26, and 27, 2010.

1.4. Authorization Status. The Department has authorized the Respondent to treat and store hazardous wastes at the site. Respondent has operated under Renewal Hazardous Waste Facility Permit effective on January 27, 2011.

1.5. Jurisdiction. Health and Safety Code, section 25187, authorizes the Department to order action necessary to correct violations and to assess a penalty when the Department determines that any person has violated specified provisions of the Health and Safety Code or any permit, rule, regulation, standard, or requirement

issued or adopted pursuant thereto.

1.6. Full Settlement. This Order shall constitute full settlement of the violations alleged below. The Parties, and each of them, agree that this Order, and all of the terms contained herein, are fair, reasonable, and in the public interest. By agreeing to this Order, the Department does not waive any right to take other enforcement actions except as specifically provided in this Order.

1.7. Hearing. Respondent waives any and all rights to a hearing in this matter.

## 2. VIOLATIONS ALLEGED

2.1. The Department alleges the following violations:

2.1.1. Respondent violated title 22, California Code of Regulations, section 66264.73 (b) (2), in that on or about October 25, 2010, the Respondent failed to record the location of each hazardous waste within the facility and the quantity at each location.

2.1.2. Respondent violated title 22, California Code of Regulations, section 66264.195 (a) & (d), in that on or about October 27, 2010, Respondent failed to inspect the overfill controls (i.e. tank high level alarms) and to document in the operating record.

2.1.3. Respondent violated title 22, California Code of Regulations, section 66264.15 (d), in that on or about October 25, 2010, Respondent failed to record all inspections in an inspection log or summary.

## 3. SCHEDULE FOR COMPLIANCE

3.1. Respondent shall comply with the following:

3.1.1. Effective immediately, Respondent shall record a description and the quantity of each hazardous waste received, the method(s) and date(s) of its transfer,

treatment, storage, or disposal at the facility, the location of each hazardous waste within the facility, and the quantity at each location.

3.1.2. Effective immediately, Respondent shall inspect the overfill controls at least once each operating day and document the inspection in the operating record.

3.1.3. Effective immediately, Respondent shall record inspections in an inspection log or summary.

3.1.4. Respondent shall make all payments at the time(s) and in accord with any other conditions set forth in Section 5 (Penalty) below.

#### 4. OTHER PROVISIONS

4.1. Liability. Nothing in this Order shall constitute or be construed as a satisfaction or release from liability for any conditions or claims arising as a result of past, current, or future operations of Respondent, except as provided in this Order. Notwithstanding compliance with the terms of this Order, Respondent may be required to take such further actions as are necessary to protect public health or welfare or the environment.

4.2. Penalties for Noncompliance. Failure to comply with the terms of this Order may subject Respondent to costs, penalties and/or damages, as provided by Health and Safety Code, section 25188, and other applicable provisions of law.

4.3. Parties Bound. This Order shall apply to and be binding upon Respondent and its officers, directors, agents, employees, contractors, consultants, receivers, trustees, successors, and assignees, including but not limited to individuals, partners, and subsidiary and parent corporations, and upon the Department and any successor agency that may have responsibility for and jurisdiction over the subject matter of this

Order.

4.8. Integration. This agreement constitutes the entire agreement between the parties and may not be amended, supplemented, or modified, except as provided in this Order.

#### 5. PENALTY

5.1. Respondent shall pay the Department the total penalty of \$19,000.

5.2. Payment of the total penalty specified in paragraph 5.1 is due within 30 days from the effective date of this Order.

5.3. Respondent's check(s) shall be made payable to Department of Toxic Substances Control, shall identify the Respondent and Docket Number, as shown in the caption of this case, and shall be delivered together with the attached Payment Voucher to:

Department of Toxic Substances Control  
Accounting Office  
1001 I Street, 21st floor  
P. O. Box 806  
Sacramento, California 95812-0806

A photocopy of the check(s) shall be sent to:

Mukul Agarwal  
Supervising Hazardous Substances Scientist  
Enforcement & Emergency Response Program  
Department of Toxic Substances Control  
9211 Oakdale Avenue  
Chatsworth, California 91311

And

Debra Schwartz,  
Senior Staff Counsel  
Office of Legal Affairs  
Department of Toxic Substances Control  
9211 Oakdale Avenue  
Chatsworth, California 91311

5.4. If Respondent fails to make payment as provided above, Respondent agrees to pay interest at the rate established pursuant to Health and Safety Code, section 25360.1, and to pay all costs incurred by the Department in pursuing collection including attorney's fees.

## 6. EFFECTIVE DATE

6.1. The effective date of this Order is the date it is signed by the Department.

Dated: April 1, 2011

Original signed by William F. Connors  
Sr. Vice President of Compliance  
Clean Harbors Los Angeles, LLC  
Respondent

Dated: April 19, 2011

Original signed by Mukul Agarwal  
Mukul Agarwal, Unit Chief  
Enforcement and Emergency Response  
Department of Toxic Substances Control